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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/047,534	01/15/2002	Brian A. Urbach	TRW(M)5857	4987

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EXAMINER

GARCIA, ERNESTO

ART UNIT

PAPER NUMBER

3679

DATE MAILED: 05/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/047,534

Applicant(s)

URBACH, BRIAN A.

Examiner

Ernesto Garcia

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 15 January 2002.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)                      4) ☐ Interview Summary (PTO-413) Paper No(s) \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)                      5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2.                      6) ☐ Other:

**DETAILED ACTION**

***Claim Objections***

Claim 8 is objected to because of the following informalities:

regarding claim 8, this claim depends from itself. For purposes of examination, the examiner has made claim 8 dependent from claim 2 as claim 6 has the same subject matter of claim 8 and claim 6 depends from claim 1. Appropriate correction is required.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-3, 6 and 8 are rejected under 35 U.S.C. 102(b) as being anticipated by Sommerer, 5,062,655 (see marked-up attachment).

Regarding claim 1, Sommerer discloses in Figure 2 an apparatus comprising a first suspension member 6, a second suspension member 10, a socket A8, a stud 13, and a fastener 8.

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The second suspension member **10** has a through hole **A3** with a first tapered surface **A4** and a second tapered surface **A6**. The first tapered surface **A4** defines a first end **A5** and the second tapered surface **A6** defines a second end **A7**.

The socket **A8** is connected with the first suspension member **6**.

The stud **13** has a first end portion **A10** and a second end portion **A11**.

The socket **A8** supports the first end portion **A10** in the socket **A8**.

The second end portion **A11** projects from the socket **A8** and has a tapered outer surface **A12** in engagement with the first tapered surface **A4**.

The fastener **8** is on the second end portion **A11** of the stud **13**. The fastener **8** has a tapered outer surface **A14** in engagement with the second tapered surface **A6** of the second suspension member **10**.

The socket **A8** and the stud **13** support the first suspension member **6**.

Regarding claim 2, the stud **13** has a longitudinal central axis **A15** on which the tapered outer surface **A12** of the stud **13** is centered. The tapered outer surface **A12** of the stud **13** extends at a first angle to the central axis **A15**. The first tapered surface **A4** and the second tapered surface **A6** of the second suspension member **10** extend at the first angle to the central axis **A15**.

Regarding claim 3, the tapered outer surface **A14** on the fastener **8** extends at the first angle to the central axis **A15**.

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Regarding claims 6 and 8, the second end portion **A11** of the stud **13** has a cylindrical portion extending from the tapered outer surface **A12** of the stud **13** in a direction away from the first end portion **A10** of the stud **13**. The cylindrical portion has a diameter smaller than a smallest diameter of the tapered outer surface **A12** of the stud **13**.

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Sommerer, 5,062,655.

Regarding claim 4, Sommerer, as discussed above, fails to disclose the tapered outer surface **A12** on the stud **13** extends at a 45 degree angle to the central axis **A15**. It would have been obvious matter of design choice to make the angle extend at 45 degrees or any other angle as the angle can be varied to design. Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to make the angle be 45 degrees as part of a design choice.

Claims 1, 5 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stroh, 6,257,795, in view of Sommerer, 5,062,655.

Regarding claim 1, Stroh discloses in Figure 2 an apparatus comprising a first suspension member 1, a second suspension member 2, a socket 3a, a stud 10, and a fastener 11.

The second suspension member 2 has a through hole 8 with a first surface 13 and a second surface 15. The first surface 13 defines a first end A5 and the second surface 15 defines a second end A7.

The socket 3a is connected with the first suspension member 1.

The stud 10 has a first end portion 6 and a second end portion 7.

The socket 3a supports the first end portion 6 in the socket 3a.

The second end portion 7 projects from the socket 3a and has a outer surface 12 in engagement with the first surface 13.

The fastener 11 is on the second end portion 7 of the stud 10. The fastener 11 has a outer surface 15 in engagement with the second surface 15 of the second suspension member 2.

The socket 3a and the stud 10 support the first suspension member 1.

However, the first surface 13 and the second surface 15 of the second suspension member 2, the outer surface 12 of the second end portion 7 of the stud 10, and outer surface 15 of the fastener 11 are not tapered but rather rounded to establish a

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precise position of the first suspension member 1 and the second suspension member 2 (col. 2, lines 49). It is well known in the art to make the rounded surface tapered instead of round since a tapered surface also establishes precise positioning of a first suspension member 1 and a second suspension member 2 as thought by Sommerer.

Regarding claim 5, the fastener 11 is a nut and the second end portion 7 of the stud 10 has a threaded end portion.

Regarding claim 7, as modified above, Sommerer teaches the stud 10 has a longitudinal central axis A15 on which the outer tapered surface 12 of the stud 10 is centered. The outer tapered surface 12 of the stud 10 extends at a first angle to the central axis A15. The first tapered surface 13 and the second tapered surface 15 of the second suspension member 2 extend at the first angle to the central axis A15. The outer tapered surface 15 on the fastener 11 extends at the first angle to the central axis A15. Stroh discloses the fastener 11 is a nut and the second end portion 7 of the stud 10 has a threaded end portion.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ernesto Garcia whose telephone number is 703-308-8606. The examiner can normally be reached from 8:30-5:00.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Lynne H Browne can be reached on 703-308-1159. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9326 for regular communications and 703-872-9327 for After Final communications. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-2168.



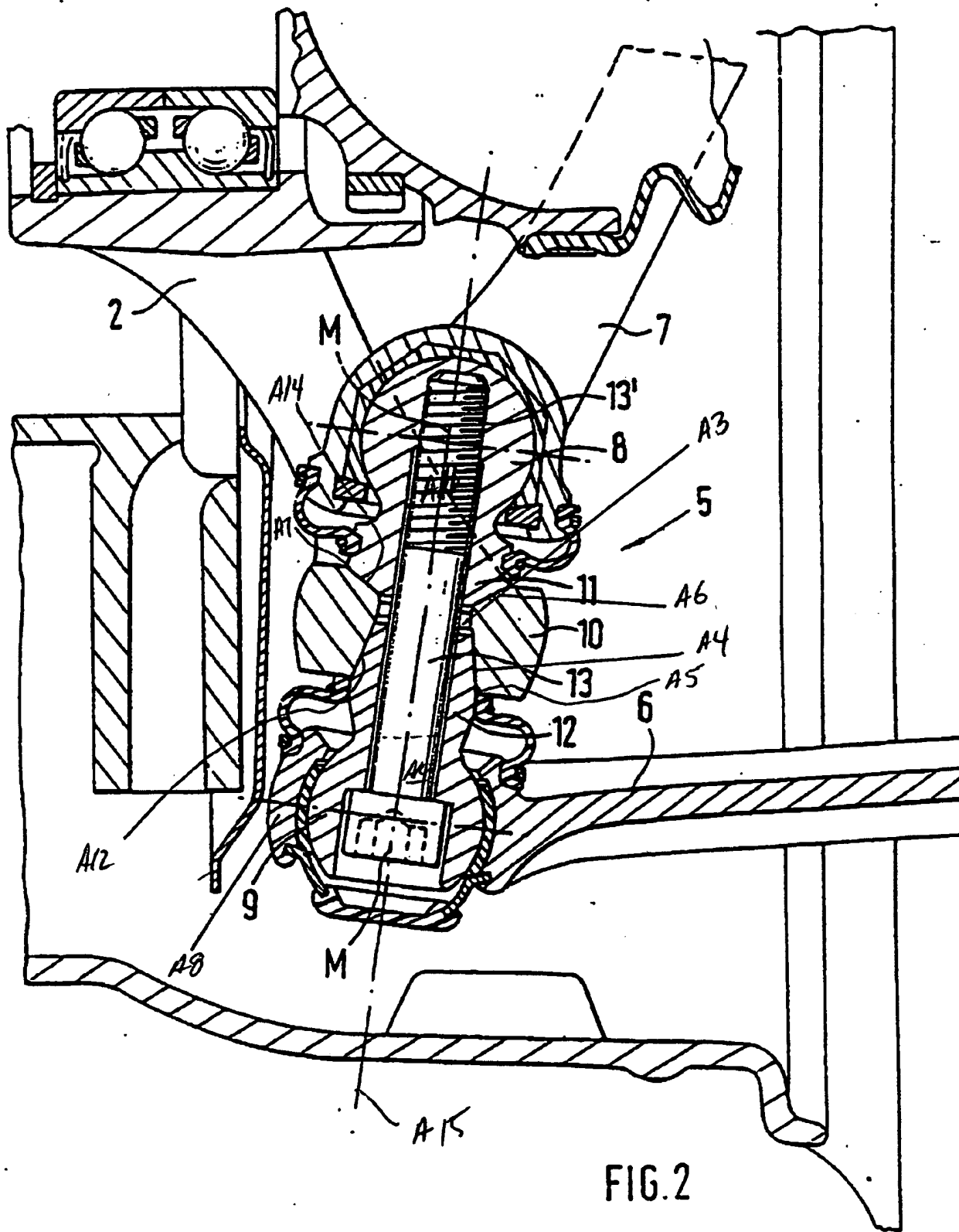
**Lynne H. Browne**  
Supervisory Patent Examiner  
Technology Center 3600

E.G.

May 12, 2003

Attachments: one marked-up copy of Sommerer, 5,062,655; and,  
one marked-up copy of Stroh, 6,257,795.





5,062,655